	Application No.	Applicant(s)	
Notice of Allowability	09/903,612	POELUEV ET AL.	
	Examiner	Art Unit	
	Kaveh Abrishamkar	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the Request for Continued Examination (RCE) filed on 12/18/2006*.

2. ☒ The allowed claim(s) is/are *1-10 and 12-15*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
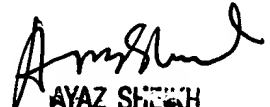
    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *02/26/2007* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview

with Brett Slaney (Reg. No. 58,772) on February 26, 2007.

3.   The application has been amended as follows:

Claim 1 (currently amended):

A method for providing cryptographic functions to data packets below the

network layer of a network stack and hidden from said network layer, the method

including the steps of:

intercepting in the data link layer of said network stack, datagrams outbound to

and inbound from said network layer, said datagrams being encapsulated by a header

and a footer associated with said data link layer and having at least one encapsulated

data packet;

decapsulating said datagrams by removing said header and said footer to

retrieve said at least one encapsulated data packet;

examining said at least one encapsulated data packet and referencing a security

policy to determine whether to process said at least one encapsulated data packet

according to said security policy using said cryptographic functions by referencing a

security policy comprising one or more processing rules and selecting at least one

processing rule for said at least one encapsulated data packet according to said

security policy;

if said at least one encapsulated data packet requires processing, modifying said

at least one encapsulated data packet to provide said cryptographic functions;

preparing reconstructed datagrams by re-encapsulating said at least one

encapsulated data packet with said header and said footer; and

providing said reconstructed datagrams back to said data link layer for continued

transmission along said network stack.

REASONS FOR ALLOWANCE

1.   Claims 1-10, and 12-15 are allowed.

2.   The following is an examiner's statement of reasons for allowance:

3.   The above mentioned claims are allowable over the Cited Prior Art (CPA) of

record because the CPA fails to teach or render obvious the claim limitations, as recited

in independent claims 1, 5, and 10, and subsequent dependent claims.

4.   The CPA does not teach or suggest a method or system, which provides

cryptographic functions to data packets below the network layer of a network stack

hidden from the network layer by intercepting datagrams at the data link layer,

decapsulating the datagrams, referencing a security policy for a data packet and

selecting a security policy to apply to the packet before reconstructing the data packet

and passing it back to the data link layer for continued transmission along the network

stack. The CPA discloses intercepting the packet and applying the packet with IPSec processing. However, the CPA does not intercept the packet and apply the processing at the data link layer, but instead, it does this security processing at a higher layer, which is not hidden from the network layer. Therefore, the claims are deemed allowable over the CPA.

5.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KA
2/26/2007

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